**THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY**

**WRIT PETITION No.16469 of 2007**

**DATED: 02.08.2007**

Between:
Mohammed Razzak

**... PETITIONER**

AND

The Secretary and another.

**... RESPONDENT**

**ORDER:**

The vehicle of the petitioner bearing registration No.APH 1680 was seized, through the Vehicle Check Report, dated 05.03.2007, on the ground that the petitioner failed to produce the necessary documents in relation to it. The petitioner challenges the seizure.

Heard the learned counsel for the petitioner and the learned Government Pleader for Transport.

A perusal of the Vehicle Check Report, dated 05.03.2007, discloses that the petitioner did not produce F.C., I.C., P.U.C., permit and proof of payment of tax. Certain other lapses were also pointed out. The liability of the petitioner in the context of these observations needs to be established in the proceedings to be initiated under the relevant provisions of the Motor Vehicles Act. If the vehicle is detained and kept in the custody of the second respondent, till such proceedings take place, not only the petitioner would be put to irreparable loss, but also the vehicle would be exposed to the danger of theft and damage. The interest of the State can be protected by imposing necessary conditions while permitting the petitioner to keep the custody of the vehicle.

For the foregoing reasons, the writ petition is disposed of, directing that;

a) the vehicle of the petitioner bearing registration No.APH 1680 shall be released, on his depositing a sum of Rs.5,000/- (Rupees Five Thousand Only) and on payment of tax due, if any; and

b) the petitioner shall also furnish an undertaking to the effect that he shall not alienate the vehicle till the proceedings in pursuance of the impugned order are finalized and that he shall produce the vehicle as and when required.

There shall be no order as to costs.

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02.08.2007

Note: Issue in two days.
(B/o)
Kdl